

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE WORLD TRADE CENTER LOWER	:	
MANHATTAN DISASTER SITE LITIGATION	:	21 MC 102 (AKH)
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	:	
MIECZYSLAW ZYGMUNT AND ROSA	:	09 CV 0679 (AKH)
ZYGMUNT,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
59 MAIDEN LANE ASSOCIATES, LLC, ET AL.	:	
Defendants	:	
	:	
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**AFFIDAVIT OF BRETT J BROADWATER**

I, Brett J Broadwater, pursuant to 28 U.S.C. § 1746, affirm under penalty of perjury that the following is true and correct:

1. I am an associate at the law firm of Kirkland & Ellis LLP, counsel for Defendant Verizon New York Inc. in this matter. I am admitted to practice before this Court and am familiar with the matters set forth herein.

2. On December 20, 2013, Kirkland & Ellis LLP filed, on behalf of all defendants in the above-captioned case, a reply submission in further support of defendants' November 6, 2013, motion for summary judgment against plaintiff Mieczyslaw Zygmunt based on statute-of-limitations grounds. Defendants' reply submission included a memorandum of law, a declaration executed by me, and Exhibits Y, Z, AA, and AB.

3. At page 7, defendants' reply memorandum of law refers to Exhibit AA, a February 3, 2006, letter summarizing the findings of a medical examination of Mr. Zygmunt conducted on November 4, 2005, at Mount Sinai School of Medicine.

4. Plaintiff produced Exhibit AA as part of discovery in this matter.

5. Due to a typographical error, the reply brief incorrectly stated that the medical examination took place on November 4, 2004, rather than November 4, 2005.

6. Exhibit AA identifies the correct examination date in the second sentence.

7. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: January 10, 2014  
New York, New York

  
Brett J Broadwater